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9 SERIOUSNET, INC., RAVI K. LAHOTI, RAJ LAHOTI

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 TRAFFICSCHOOL.COM, INC., a
13 California Corporation; DRIVERS ED
14 DIRECT, LLC, a California limited
liability company,

15 Plaintiffs,

16 v.

17 EDIVER, INC., ONLINE GURU,
18 INC., FIND MY SPECIALIST, INC.,
and SERIOUSNET, INC., California
corporations, RAVI K. LAHOTI, an
individual; RAJ LAHOTI, an individual;
19 DOES 1 through 10,

20 Defendants.

21 Case No: CV 06-7561 PA (CWx)

22 **DECLARATION OF RAJ LAHOTI
IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFFS'
MOTION FOR ATTORNEYS FEES
AND COSTS**

23 Date: December 5, 2011

Time: 1:30 p.m.

Ctrm: 15

Judge: Honorable Percy Anderson

Complaint Filed: November 28, 2006

22 I, Raj Lahoti, declare:

23 1. I am the co-founder and Chairman of defendant OnlineGURU Inc.,
the company that manages the website <http://www.dmv.org/> ("dmv.org"). I am
24 also a named individual defendant in this matter. I have personal knowledge of the
25 facts set forth herein and, if called upon to testify, could and would competently
26 testify thereto.
27

28 DECLARATION OF RAJ LAHOTI IN SUPPORT OF DEFENDANTS' POSITION IN JOINT STATUS REPORT
AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR ATTORNEYS FEES AND COSTS
CASE NO. CV 06-7561 PA (CWx)

1 2. On September 6, 2011, my Declaration of Raj Lahoti in Support of
 2 Defendants' Position in Joint Status Report was filed with this Court (Doc.
 3 No. 306-8) with respect to the Ninth Circuit's remand to this Court regarding the
 4 scope of the injunction. Since filing my declaration, I learned that Plaintiffs have
 5 filed a Motion for Attorneys Fees and Costs that includes various declarations and
 6 exhibits discussing my company's website.

7 3. Plaintiffs have stated in their Motion at page 18-19:

8 Defendants have continued to defiantly repudiate this Court's
 9 permanent injunction. Since the injunction issued, Defendants have
 10 failed to comply with it, and their litigation conduct in this regard
 11 should not be ignored.

12 Defendants' current splash page is not a splash page, but rather
 13 a "welcoming screen" that effectively disguises the disclaimer in
 14 small font at the very top of the screen, so that many users will not see
 15 it. Indeed, legal commentators discussing this case have noted this
 16 issue. See, Joint Status Report, previously filed. Defendants have
 17 decided to replace the DMV.org logo upon which the injunction was
 18 issued with a happy-faced, flag-bearing mascot designed to appeal to
 19 and entice new and/or younger drivers. Exh. N, ¶ 30 to Hamilton
 20 Decl. It appears that Defendants have taken a page from the cigarette
 21 manufacturers' play book---one that is analogous to their "Joe Camel"
 22 mascot for Camel cigarettes from late 1987 to 1997.

23 Moreover, Defendants' website, including the splash page, have
 24 consistently been moving targets – forcing Plaintiffs to constantly
 25 monitor Defendants' compliance with the injunction (and thus, more
 26 fees were and will be incurred in the process). Since the injunction
 27 issued, Defendants have repeatedly changed the DMV.org logo on the

1 splash screen and the look of the splash screen, including: (i) *delaying*
 2 the disclaimer text, (ii) presenting the delayed disclaimer text in *faint*
 3 *grey font* that blends with the toolbar browser, (iii) using font that is
 4 *smaller* than the logo, and (iv) making changes to the logo, going
 5 from “unofficial guide” to “dmv made simple” and now back again to
 6 “unofficial.” See. ¶¶ 26-31, Exh. J-O to Hamilton Decl.

7 Defendants have also embarked on multiple other schemes
 8 designed to confuse more consumers through its purported
 9 “disclaimers”. Specifically, screen shots from the DMV.org website,
 10 in Table 5, Hamilton Decl. Ex. O, ¶31, detail the following deceptive
 11 practice that Plaintiffs are forced to raise: In using a disclaimer before
 12 consumers email the site, Defendants purported to direct the consumer
 13 to their local DMV and “***Online Services***” for that local DMV.
 14 However, the consumer is actually being directed to DMV.org’s own
 15 private services. This practice has resulted in consumer deception,
 16 which has caused a number of consumers (and likely hundreds, if not,
 17 thousands of others as evidenced by the confused consumers on
 18 Facebook) to pay fees to DMV.org (and its affiliates) under the
 19 mistaken belief that these were ***required fees*** by their local DMV
 20 office. [Id., Ex. O].

21 4. I believe Plaintiffs’ Motion and Ms. Hamilton’s declaration attaching
 22 screen shots are very misleading and inaccurate. The Plaintiffs are conveniently
 23 ignoring the continued efforts of the Defendants to ensure no confusion results
 24 from users visiting our site. As discussed below, Plaintiffs’ Table 5 presents the
 25 screen shots and potential navigation path to the Defendants’ third party
 26 advertisers. However, Plaintiffs conveniently fail to point out the number of
 27 design elements and disclaimers that exist on each page of what they characterize
 28

1 as a deceptive path. If the Court looks closely at these screen shots and reviews
 2 my commentary below it will understand why I believe that we have gone above
 3 and beyond the Court's injunction and have made every effort to disclaim any
 4 affiliation with a governmental entity. The confused citizen example provided by
 5 Plaintiffs, Tom Pniewski, is not as depicted and I will discuss that below, as well.

6. I invite the Court to log on to our website as it reviews this declaration
 7 for a true and accurate picture of all the things we are doing to comply with this
 8 Court's injunction, particularly since we have asked for modifications of the
 9 injunction. In fact, I specifically ask the Court to review Plaintiffs' Table 5 and the
 10 declaration in support with additional scrutiny and my notes below that actually
 11 show the extent we have gone to ensure no confusion. What Plaintiffs characterize
 12 as a "moving target" is accurate as we have continued to grow and evolve as an
 13 Internet company should and have done so in line with the Court's injunction. We
 14 have continued to move towards eliminating confusion while being responsible to
 15 our visitors.

6. With respect to our Splash Screen (Table 5, #1), yes, it continues to
 17 evolve over the years within the guidelines of the injunction. Various
 18 configurations of a splash screen were tested and used to optimize clickthrough's.
 19 Disclaimer, "unofficial language," and design elements were used in various
 20 combinations. The Plaintiffs have continued to harass us notwithstanding that the
 21 Court found their Contempt Motion was without merit and that we had
 22 substantially complied with the spirit of the Court's injunction. Contrary to
 23 Plaintiffs' selective description of our website, we are making continued efforts in
 24 this regard and if that makes our website a "moving target" it is because of our
 25 efforts to comply with the Court's injunction, not to violate the injunction.

7. The Ninth Circuit's opinion at footnote 5, p. 9750 acknowledges:
 27 "Defendants' website usability expert submitted a declaration stating that splash
 28

1 screens typically drive away up to a quarter of potential site visitors. Plaintiffs cite
 2 nothing to rebut this evidence.” The Splash Screen, in fact, has negatively affected
 3 public access to our First Amendment protected content and we have experienced a
 4 negative impact on our business with the current Splash Screen. In light of the
 5 changes in the design of our site, and the Ninth Circuit’s comments, we have
 6 requested modifications to the Court’s injunction in separate pleadings before this
 7 Court and request the Court carefully consider my declaration and the following
 8 comments.

9 8. If the Court takes the time to view our website it can confirm that the
 10 comments about the Splash Screen are inaccurate. Furthermore, a secondary
 11 disclaimer at the top of the page in yellow sits on every page within the website
 12 going well beyond the injunction, which is not a specific requirement of this Court.

13 9. With respect to our changing logo and page redesign, this was created
 14 by a competition on 99designs.com with the following instructions “Please note:
 15 do not use any government insignia, official seals, or anything that would give the
 16 impression that this is a government site. We are happy to be non-governmental
 17 and look friendly.”

18 10. I also note that our Happy Face Logo was chosen to create an obvious
 19 “unofficial” look and feel to mitigate any confusion. We certainly do not dispute
 20 that we would like to attract more customers, including the younger audience, a
 21 large audience as noted by Ms. Hamilton’s statement that there are 20,000 new
 22 drivers every month. We are not in business to lose customers and I do not believe
 23 that this Court’s injunction was intended to harm our business but rather to avoid
 24 any confusion to the general public. However, what Ms. Hamilton and Plaintiffs
 25 appear to want is to drive us out of business through continued harassment and
 26 unjustified claims that we are not in compliance. The Court should review their
 27 comments with the background knowledge that Plaintiffs compete with us and

28

1 would like nothing more than to put us out of business as was evident by
2 Mr. Kramer's statement in his email "if you can't join 'um, shut um down'
3 approach." Again, I do not believe that this Court ruled we should shut down, only
4 that our Website not generate confusion. We have taken additional steps to satisfy
5 this Court's concerns.

6 11. We engaged a dedicated Customer Service and Community Manager
7 on September 26, 2011 to address Social Media and Field questions from the
8 website.

9 12. We implemented an Auto Responder for all inbound emails with
10 explicit disclaimer language.

11 13. With respect to Plaintiffs' comments on "Table 5" of Plaintiffs'
12 papers, I make the following corrections and comments.

13 14. The Splash Page (Table 5, #1).

14 a. Unofficial Language in Banner in different color along with
15 unofficial logo loads first.

16 b. Continue button and Top Disclaimer load simultaneously.

17 c. I could not recreate the alleged 2-3 second delay claimed by
18 Ms. Hamilton.

19 15. Landing Page (Table 5, #2).

20 a. Note Yellow Highlighted Secondary Disclaimer clearly
21 displayed at top of screen.

22 b. Additional Disclaimer at the bottom of the screen.

23 c. "Unofficial DMV Guide" appears on the Browser Header.

24 d. "Unofficial DMV Guide" with Unofficial highlighted in Logo.

25 e. The use of an informal cartoon logo to create an unofficial look
26 and feel.

27 f. "dmv.org" is in all lowercase.

- 1 g. “The Unofficial DMV Guide” (with service mark) since 1999
2 clearly displayed.
- 3 h. “About our Company” in the header indicates a non-
4 government site.
- 5 i. “Our Mission” link in header that directs people to our
6 overview page that starts with the bold text “We Rule, But We
7 are NOT the Government.”

8 16. Contact DMV Support Button (Table 5, #3).

- 9 a. Plaintiffs conveniently dropped the “.org” in the description
10 contained in their commentary box which states “Contact DMV Website Support”
11 Button. The Website page actually says “Contact DMV.org Website Support.”
12 The “.org” designation clearly distinguishes us from a governmental entity—
13 typically designated by “.gov.”
- 14 b. Directly Below the Contact link is an Additional Disclaimer.
- 15 c. There is an Inc. 5000 logo on the right that is reserved for
16 privately-owned companies, inconsistent with a government site.
- 17 d. “Our Company” link.
- 18 e. “Careers at Online Guru” Link.

19 17. After the Contact Button (Table 5, #4).

- 20 a. In bold very clearly presented right above the “Contact your
21 State DMV Office” link, it says **“Disclaimer: DMV.org is a
22 privately-owned website and not owned by any government
23 agency.”**
- 24 b. There is nothing deceptive of letting a customer know that
25 before they contact us they should check with their local DMV
26 and sending them to our DMV Office Finder.
- 27 c. Note all additional “unofficial” design elements and disclaimers

in #15.

d. Contact form has acknowledgment checkbox before sending anything to dmv.org's customer support that states "I acknowledge that DMV.org is a privately-owned Web site that is not owned or operated by any state government agency, including motor vehicle departments."

18. DMV Office Locations (Table 5, #5).

- a. There is nothing deceptive about having a visitor look for their local DMV office.
- b. Also note that the visitor has yet another opportunity to view all of the other design elements as well as a highlighted yellow disclaimer at the top of the page if they had missed it on the previous 4 pages.

19. Purported Online DMV Services (Table 5, #6).

- a. This assertion by Plaintiffs is simply false.
- b. Google Maps is provided to show the visitor where to go.
- c. Address is given below.
- d. “Save Time, Skip the Line! There are many online providers that offer the following DMV Services in California.”
- e. Note all additional disclaimers and design elements described in #15 in the event anyone missed it on the previous 5 pages.

20. Affiliate I Drive Safely Sponsor (Table 5, #7).

- a. Note highlighted “FEATURED CALIFORNIA TRAFFIC SCHOOL SPONSORS.”
- b. Note all of the additional disclaimers and design elements in #15 in the event anyone missed it on the previous 6 pages.

21. I Drive Safely's Website (Table 5, #8, p.1).

1 a. Links to other websites are not misleading and frequently used
2 and provide a valuable service to users. Furthermore, if the user followed
3 Plaintiffs' navigation path they would have been exposed to at least 6 or 7 pages all
4 of which contained disclaimer language and unofficial design elements
5 intentionally utilized to ensure no confusion with a governmental entity.

6 22. Cartagz Sponsor (Table 5, #8, p.2).

7 a. Again by the time a visitor ended up on a third party
8 advertiser's site, they would have had extensive exposure to disclaimers clearly
9 stating that we have no affiliation with any governmental agency, including the
10 DMV.

11 23. Calculate then link to Cartagz site (Table 5, #9, p.1).

12 a. Plaintiffs fail to show the screen shot following this page as it
13 clearly separates the DMV fees from Cartagz' fees and lets the
14 user opt in. I have attached a copy of that following page for
15 the Court's convenience as Exhibit 1.

16 24. Tom Pniewski (Table 5, #9, p.2):

17 a. Confusion generated by CA DMV due to passing of new
18 legislation. A CBS news article was written on this issue which
19 is attached hereto as Exhibit 2.
20 b. Notice from CA DMV had explicit instructions. A copy of the
21 notice is attached hereto as Exhibit 3.
22 c. Mr. Pniewski appears to have overreacted.
23 d. Cartagz is a separate site.
24 e. Cartagz Fees are clearly displayed before purchasing.
25 f. It is not clear whether there really was any confusion that we
26 were the DMV.

27 ///

1 25. We remain open to address any further concerns of the Court, but at
2 the end of the day there may be someone who may be confused when visiting any
3 website. However, where reasonable steps have been taken to try to eliminate any
4 confusion, this small percentage of confusion cannot justify closing down a
5 business that provides a public benefit. I have looked at the rulings in this case and
6 do not believe that this Court ordered any more than what we have been doing and
7 in fact, we have gone beyond the order to rectify any ongoing issues.

8 I declare under penalty of perjury under the laws of the State of California
9 and the United States of America that the foregoing is true and correct and that I
10 executed this declaration on November 14, 2011, at San Diego, California.


Raj Lahoti

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Exhibit 1

11

SUPPLEMENTAL DECLARATION OF RAJ LAHOTI IN SUPPORT OF DEFENDANTS' POSITION IN JOINT
STATUS REPORT AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR ATTORNEYS FEES AND COSTS
CASE NO. CV 06-7561 PA (CWx)

CARTAGZ
VEHICLE REGISTRATIONTM

LICENSED BY THE CALIFORNIA DMV

LOGIN

[Home](#) | [About Us](#) | [View Our License](#) | [Contact](#) | [DMV Services](#) | [Forms](#) | [Instructions](#) | [Testimonials](#) | [Fees](#) | [Insurance Producers](#) | [Fleets](#) | [Affiliates](#)

Instant Online CA DMV Registration - Next Business Day Delivery - Same Day E-Copy

Complete Your CA DMV Registration in 3 Simple Steps



Your Information

Payment Center

Complete

- 1
- 2
- 3

Enter Your vehicle information for an instant DMV Registration fee lookup.

Pay your DMV registration fees online Your official DMV registration card & sticker are shipped immediately

PAY NOW Proceed to checkout for same business day posting of fees to the California DMV. This amount is valid only for the date shown. Pay Now to avoid future DMV penalties.

Calculation Complete

As of 11-10-2011 for Lic Plate [REDACTED]

DMV Fees:	\$131.00
Cartagz Service Fee:	\$29.00
Convenience Fee:	\$3.28
Total Due:	\$163.28

Proceed to Checkout

Your Information:

License Plate:	[REDACTED]
VIN:	[REDACTED]
Make:	[REDACTED]
E-Mail:	[REDACTED]

Went into the DMV. The line was out the door. Then went online—took 2 minutes and now I have my registration coming. Went to the DMV because they never sent me my paperwork for my tags. Thank you for saving me time. Have a good day.

Bruce—Oakland, Ca

Once your fees have been deposited and set with the DMV, we will either ship your validated registration card and sticker immediately or, if the DMV requires additional items, we will post your fees with the DMV as a 'Report of Deposit of Fees' and notify you by e-mail and US Mail of the necessary items required to complete and validate your vehicle registration.

Cartagz, Inc. is licensed by the State of California Department of Motor Vehicles to perform registration and titling services. Our license # 47868. Please note: Cartagz.com is not owned and operated by any government agency. We are not the Department of Motor Vehicles (DMV).

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Exhibit 2

12

SUPPLEMENTAL DECLARATION OF RAJ LAHOTI IN SUPPORT OF DEFENDANTS' POSITION IN JOINT
STATUS REPORT AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR ATTORNEYS FEES AND COSTS
CASE NO. CV 06-7561 PA (CWx)



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NEWS

California Drivers Face Fine Confusion After DMV Notice Delays

August 16, 2011 5:05 PM

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A sign at a California Department of Motor Vehicles office.
(Robyn Beck/Getty Images)

SACRAMENTO (CBS 5) – Budget delays in the California legislature this summer kept the state from sending out the Department of Motor Vehicles registration renewal notices on time, leaving many Californians confused about the potential for big fines.

"It was due the same day I got it," said driver Claire Johnson.

The DMV has promised that drivers will have extra time to pay as a result of the delay.

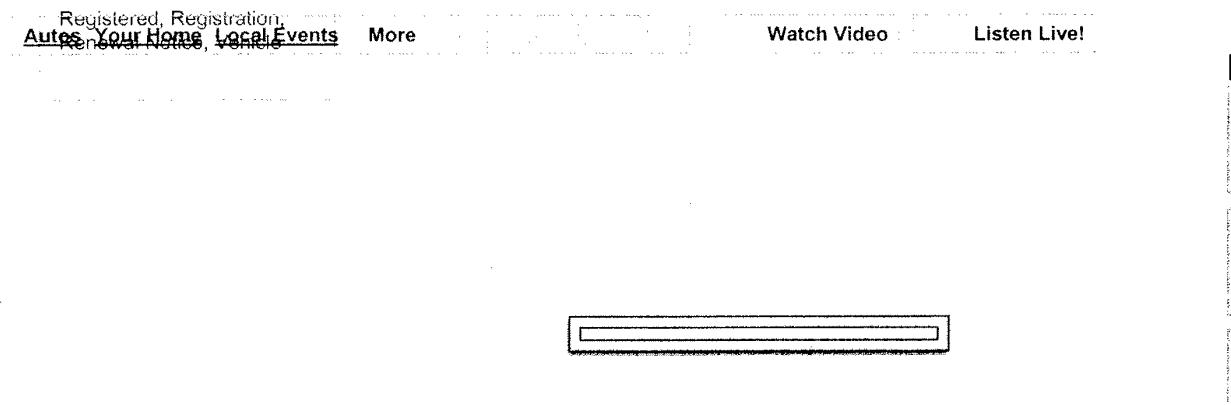
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California, Car, Delay, Department Of Motor Vehicle, DMV, Drivers,

California Drivers Face Fine Confusion After DMV Notice Delays « CBS San Francisco Page 2 of 8



"What we want customers to know is — you don't have to panic," said Jamie Garza of the California DMV. "You will have 30 days from the due date to pay your renewal without any penalties."

But now some customers are upset about what happens at the end of 30 days. On the 31st day you might think you only have to pay a one-day fine. Instead, you have to pay a 31 day fine, which is a huge penalty – 60 percent of your bill.

The DMV mailed a special notice explaining the 30 day grace period, but some were still left confused.

The DMV spokesman that we asked about the late fee said he couldn't go on camera Tuesday, but believes the special order is clear. He pointed out there are detailed instructions on the DMV web site as well as the bill, showing just how much the fine will be depending on what day you pay it.

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 Chicago - New policy allows Illinois residents to cut their car insurance cost in half.

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 Become a wealthy teenage stock wizard overnight using this #1 penny stock site!

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[what's this]

FEATURED COMMENT

Cindy said:

Yup, My registration due date said "July 2, 2011" BUT the postmarked date on the envelope was "July 5, 2011". I received my bill on July 10, 2011" ALREADY PAST DUE DATE ... I tried to pay online on August 1 (not YET 30 days from my original due date of 7/2/ 2011 and it said that I have to pay the highest penalty of \$386 instead of the original fee of \$189. I had

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to go in person to straighten everything out because online or on the phone the automated system does not know how to negotiate hahahaha... so best advice is to make an appt with DMV and go on person, pay and get the sticker RIGHT AWAY!!!

[REPLY](#)

19 COMMENTS

Jacob

Oh come on, it isn't that hard. These folks claiming panic are full of it. Your car registration is due the same time every year. Once you get the notice, simply go to the DMV.org website and renew online in 10 minutes. How hard can it be. Any Officer checking your plates because your tag is not current will run the plate and see the car is actively registered. If they actually stop you, they are aware of the DMV issue this year. God, this stuff drives me crazy hearing "oh, I had not idea."

August 16, 2011 at 5:50 pm | [Reply](#) | [Report comment](#)

Siege

Well I spent all day yesterday trying to pay online and the server was down. Two emails to support and no response. I was able to pay today but I don't have much confidence in the DMV.

August 17, 2011 at 1:38 pm | [Reply](#) | [Report comment](#)

Old_Boy_Ntwk

You are right, Jacob, it's not that hard. We just re-registered a car on the Internet in a few minutes. However, the part in the story about the size of the penalties is correct. The government is always complaining about the interest rates credit card companies get, but the size penalties for late registration make credit card companies look good.

When you add the cost of a smog test and any possible repairs the test generates to the cost of the registration fees and the taxes included you get to a number that is a problem for some folks – smacking on a huge late fee just makes it worse. Truth is a lot of it is unnecessary – not used for anything related to vehicles or roads, just more back-door taxes.

August 16, 2011 at 6:28 pm | [Reply](#) | [Report comment](#)

P Jackson

To avoid any late penalties, you can go online and pay your registration fees without having smog certificate, the DMV will then mail you an incomplete registration form. When you have smog test done the DMV will then mail you your new registration form and sticker.

August 17, 2011 at 11:00 am | [Reply](#) | [Report comment](#)

Steven Goodman

California Drivers Face Fine Confusion After DMV Notice Delays « CBS San Francisco Page 5 of 8

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I did that in June. It has been 8 weeks and my registration form and sticker haven't arrived yet.

August 17, 2011 at 12:38 pm

Gary Pedersen

I have heard of this problem , but not exoerienced it myself, I do usually get a notice 2 months in advance.

August 16, 2011 at 8:27 pm | Reply | Report comment

Cindy

Yup, My registration due date said "July 2, 2011" BUT the postmarked date on the envelope was "July 5, 2011". I received my bill on July 10, 2011" ALREADY PAST DUE DATE ... I tried to pay online on August 1 (not YET 30 days from my original due date of 7/2/ 2011 and it said that I have to pay the highest penalty of \$386 instead of the original fee of \$189. I had to go in person to straighten everything out because online or on the phone the automated system does not know how to negotiate hahahaha... so best advice is to make an appt with DMV and go on person, pay and get the sticker RIGHT AWAY!!!

August 17, 2011 at 10:03 am | Reply | Report comment

Rion

I usually get my notice in May. I realized sometime at the end of June that it never came. So I went online, saw I needed a smog check, and how much my renewal was. Seeing this, I went and got my smog check before I even received the noticed.

So I can kinda see both sides: "It's not that hard" vs "I had no idea". Cause it's not something you really wait for or look forward to, and it's not as serious as taxes, so it's easy to forget. But at the same time, if you're smart and responsible, you'll take inititive and do what you need to do, knowing it's an annual thing.

August 17, 2011 at 10:11 am | Reply | Report comment

Mr_Merciless

As stated above. Let's say you need a smog test. Well , at the very least go online and pay the reg fee then get it smogged a few days later. Bam! Your tags will magically appear in the mail. Stupid people should not breed!

August 17, 2011 at 10:18 am | Reply | Report comment

Donald Teixeira

Another Government Rip Off.... Fines are becoming the NEW TAX!!!!!!!!!

August 17, 2011 at 10:22 am | Reply | Report comment

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The North Note

[Watch Video](#) [Listen Live!](#)

mercury RX goes direct on 8/26 3:03 pm PST—most virgos, and geminis will be feeling better!

August 17, 2011 at 12:36 pm | Reply | Report comment

John

I never receives the DMV renewal for 2 of my vehicles but the DMV said they send 3 notices which is a BS and I still have to paid about \$100 penalty for each car. There is no arrest for DMV fraud but happened to us the whole army squad will waiting front of the home with shotguns!

August 17, 2011 at 12:36 pm | Reply | Report comment

C. Wyatt Hertz

I do not understand why we, the people are being held responsible for government inefficiency.

August 17, 2011 at 12:51 pm | Reply | Report comment

Rachel Alexandre

amen! It took them two months to send me tags!

August 17, 2011 at 1:25 pm | Reply | Report comment

Rachel Alexandre

However, even though there is 30 days from the date it is due people are receiving the notices in the mail with two days of the 30 days left to pay!

August 17, 2011 at 1:23 pm | Reply | Report comment

Iko Iko

It's actually WORSE than the author explained! My wife went to get new plates on one of our vehicles a couple months ago. The DMV gave her the plates and a current set of stickers, due to expire in 2 months! She tried to simply pay the registration fee for the next year, but the DMV said they had not figured out what to charge yet so she could NOT pay the registrations fee. She got another in-person appointment 4 weeks later, now 1 month from the expiration, and again the DMV in-person told her she still could NOT get the registration paid for the next year. She got another in-person appointment the week prior to the expiration of her new plates and again the DMV refused to let her pay the registration. Then slightly OVER 2 weeks AFTER the registration expired she finally got a DMV notice in the mail to pay the next years registration. She was required to pay the LATE FEE in-spite of the fact that the post-mark on the DMV notice envelope was almost 2 weeks AFTER the expiration date! Oh, and we did get the vehicle smogged, but we still have NOT gotten the sticker!

August 17, 2011 at 2:09 pm | Reply | Report comment

J Wu

California Drivers Face Fine Confusion After DMV Notice Delays « CBS San Francisco Page 7 of 8

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I received a notice of delinquent renewal for the registration on Aug 19 and due date was July 2. The post marked was Aug 17 and received Aug 20. I did not receive any renew notice before.

August 19, 2011 at 10:29 pm | Reply | Report comment

itseasyservices

<http://blog.ctnews.com/boughton/2011/07/14/close-the-danbury-dmv/#comment-636>

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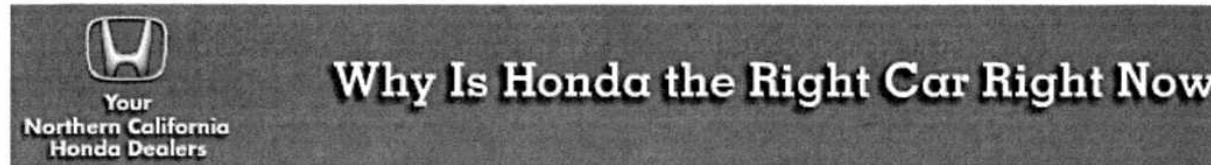
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Exhibit 3

13

SUPPLEMENTAL DECLARATION OF RAJ LAHOTI IN SUPPORT OF DEFENDANTS' POSITION IN JOINT
STATUS REPORT AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR ATTORNEYS FEES AND COSTS
CASE NO. CV 06-7561 PA (CWx)

Changes Impacting Vehicle Registration Renewal

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HOME OFFICES ONLINE SERVICES DRIVER LICENSE VEHICLE REGISTRATION

Changes Impacting Vehicle Registration Renewal

If you have already paid your Registration and received a delinquent notice, please disregard the notice. We apologize for the inconvenience.

Vehicle owners with registration renewal dates between July 1, 2011 and December 31, 2011 are being provided a 30-day grace period from the expiration date before late payment penalties are imposed. NOTE: The billing notice has not been adjusted to reflect the grace period. Instead, a special insert (see image below) included with the billing notice indicates that penalties will not be imposed until the 31st day after the expiration date. At that point in time, the penalties are calculated at the regular penalty rate of 60%.

Fee changes include:

- Vehicle License Fee rate decreased from 1.15% to 0.65%, and,
- A \$12 increase in the registration fee (from \$34 to \$46).

Customers are encouraged to utilize the renewal by mail or online Internet renewal program to renew their registration. These alternative service delivery options will automatically waive late fees for first 30 days after expiration date. New registration cards and stickers will be issued as quickly as possible. NOTE: If customers were unaware of the 30-day grace period and included penalty fees in their mailed payment that are not due, DMV will automatically refund the overpayment. Please allow 3-4 weeks for the refund to be processed.

Law enforcement is aware and will not cite vehicles until the first day of the second month after the vehicle registration expires. For example: A vehicle with a registration expiration date of July 10th would not be cited for delinquent registration prior to September 1, 2011.



SPECIAL NOTICE

Legislation passed on May 4, 2011, changes DMV's process for collecting registration renewal fees due on or after July 1, 2011. This includes not sending 60-day advance notification to renew and establishing a 30-day grace period before penalties are due.

Pay fees within 30-days of the **DUE DATE** to avoid penalties. After the 30-day grace period, penalties will be due, if paying late, using the sample below, locate the circled amount on your billing notice. This is the amount you will need to pay if 31-90 days late.

LATE PAYMENT		
POSTMARKED	RENEWAL	PNO
After 07/10/11 through 07/20/11	\$XXX	\$XX
After 07/20/11 through 08/09/11	\$XXX	\$XX
After 08/09/11 through 10/08/11	\$XXX	\$XX
AFTER 10/08/11	\$XXX	NO PNO

Law enforcement will not cite vehicles until the first day of the second month after the vehicle registration expires. For example: A vehicle registration due in July would not be subject to citation until September.

See also: [FAQs](#)

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Governor Edmund G. Brown Jr. | BTH Agency | DMV Director George Valverde

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